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OFFICE OF PETITIONS

In re Application of	:	
Kenneth R. Smith	:	
Application No. 10/848,833	:	DECISION ON PETITION
Filed: May 17, 2004	:	
Attorney Docket No. 787.187USC1	:	

This is a decision on the petition to withdraw the holding of abandonment under 37 CFR 1.181, filed August 15, 2007.

The petition is **GRANTED**.

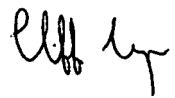
The above-identified application was held abandoned for failure to timely file a response to the Notice of Non-Compliant Amendment, mailed February 16, 2007. This Notice set an extendable period for reply of one (1) month. A Notice of Abandonment was mailed on July 6, 2007, stating that no response had been received.

Applicants have filed an Amendment on August 15, 2007, made timely by obtaining a five (5) month extension of time. Accordingly, it is obvious that the Notice of Abandonment was prematurely mailed.

In view thereof, **the holding of abandonment is withdrawn**.

The matter is being forwarded to Group Art Unit 3618 for consideration of the Amendment filed August 15, 2007.

Telephone inquiries regarding this decision should be directed to the undersigned at (571)272-3207.



Cliff Congo
Petitions Attorney
Office of Petitions